

RECIRCULATED INITIAL STUDY

**MORRISON PARK
RESIDENTIAL PROJECT**

City of San Jose

July 2008

SECTION 1 PREFACE AND BACKGROUND

In March 2008, an Initial Study/Mitigated Negative Declaration for the proposed Morrison Park Residential Project was prepared and circulated to the public for comment. This circulation period ran from March 28 to April 16, 2008. No formal public comments were received during the public comment period. During the circulation period, the project was referred to the Historic Landmarks Commission at its April 2nd meeting for review of the Initial Study/Mitigated Negative Declaration and to consider listing two eligible structures, described in more detail below, on the City's Historic Resources Inventory (HRI). Upon completion of the public comment period, the project was heard by the San José Planning Commission and City Council, respectively. The City Council approved the proposed project on May 20, 2008. The Director of Planning is currently reviewing Planned Development Permit application file No.PD07-088 to implement the rezoning approved by the City Council.

The Initial Study originally identified two structures as being eligible for the California Register; Building 1 (395 Stockton Avenue) a former gas station and Building 7 (355 Stockton Avenue) a small industrial building. Building 1 was proposed to be permanently relocated to Julian Street on the right side of the main driveway and rehabilitated to the Secretary of Interior Standards for use as a mailroom. Building 1 will still be relocated and rehabilitated as originally proposed.

Building 7 was originally determined by the City of San José to be eligible for the California Register based on its association with Carl Swenson, a local developer. Subsequent review of available information, the Historic Landmarks Commission's April 2nd decision to not list Building 7 on the HRI, and public input has caused the Planning Director to change the original significance determination. Pursuant to CEQA Guidelines Section 15064.5, Building 7 is a *discretionary* historic resource, and the Planning Director, exercising his discretion, no longer considers the building eligible for the California Register or locally significant based on its association with Carl Swenson. While the building is rated as eligible for listing as a local Structure of Merit, as noted above, the Historic Landmarks Commission voted on April 2nd to not list the building on the HRI.

Based upon the Planning Director's determination that Building 7 is not a historic resource pursuant to CEQA Guidelines Section 15064.5, the project no longer proposes to relocate the building to an off-site location. The project now intends to demolish Building 7. Based on CEQA Guidelines Section 15162, when a negative declaration has been adopted for a project, no subsequent negative declaration shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record that:

- 1) no new significant impacts have been identified and there is no increase in the severity of previously identified significant effects, or
- 2) no new information of substantial importance shows that the project would have one or more significant effects not discussed in the previous negative declaration or significant effects previously examined will be substantially more severe.

If the conditions of Section 15162 are not met, then changes to an adopted negative declaration can be made through the preparation of an Addendum (CEQA Guidelines Section 15164). An addendum, however, provides no opportunity for a public review process.

Due to the importance of historic resources to the local community this Initial Study/Mitigated Negative Declaration is being recirculated to allow the public to comment on the change in

determination of Building 7, the change in the project's disposition of the building (demolition rather than relocation), and the new proposed mitigation measures. This revised Initial Study only presents the following information:

- 1) the revised Project Description disclosing the project now intends to demolish Building 7, and
- 2) the revised Cultural Resources section disclosing the Planning Director's discretionary determination that the building no longer appears eligible for the California Register.

The project's intention to demolish rather than relocated Building 7 to another site is not anticipated to result in any new or more significant impacts in any of the environmental resource areas addressed in the adopted Initial Study CEQA Checklist Appendix G. Accordingly, the remaining chapters in the adopted March 2008 Initial Study addressing other environmental impact area (i.e., traffic, air quality, noise, biological resources, etc.) remain unchanged and are not being re-circulated for additional public comment.

The revisions to the document are shown in the text as follows:

All deletions are shown ~~with a line through the text~~, and all new text is indicated with underlining.

Public Comments

Anyone may provide comments to the City of San José on the edited text of this recirculated Initial Study/Mitigated Negative Declaration. This document will be circulated for a 20-day review period. At any time during the public review period, written comments may be submitted to the City of San José Planning Division at the address below.

All documents associated with the proposed project are available for public review in the Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, San José, California, on weekdays during normal business hours.

SECTION 2 PROJECT INFORMATION

2.1 PROJECT TITLE

Morrison Park Residential Project

2.2 PROJECT LOCATION

The project site is located on the 300 block of Stockton Avenue, which is bounded by W. Julian Street, N. Morrison Avenue, Cinnabar Street, and Stockton Avenue in the City of San José. (see Figures 1 and 2)

2.3 PROPERTY OWNER/PROPONENT CONTACT

Morrison Park Homes, LLC
2500 El Camino Real
San Mateo, CA 94403

2.4 LEAD AGENCY CONTACT

Licinia McMorrow
City of San José
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street
San José, CA 95113

2.5 ASSESSOR'S PARCEL NUMBER

261-01-039, 040, 041, 042, 043, 044, 049, 050, 051, 052, 053, 054, 085, and 086

2.6 ZONING DISTRICT AND GENERAL PLAN DESIGNATION

The project site is designated *Residential Support for the Core (25+ dwelling units per acre)* and *Mixed-Use Overlay with no Underlying Land Use Designation* by the City of San José's General Plan and is zoned *LI – Light Industrial*.

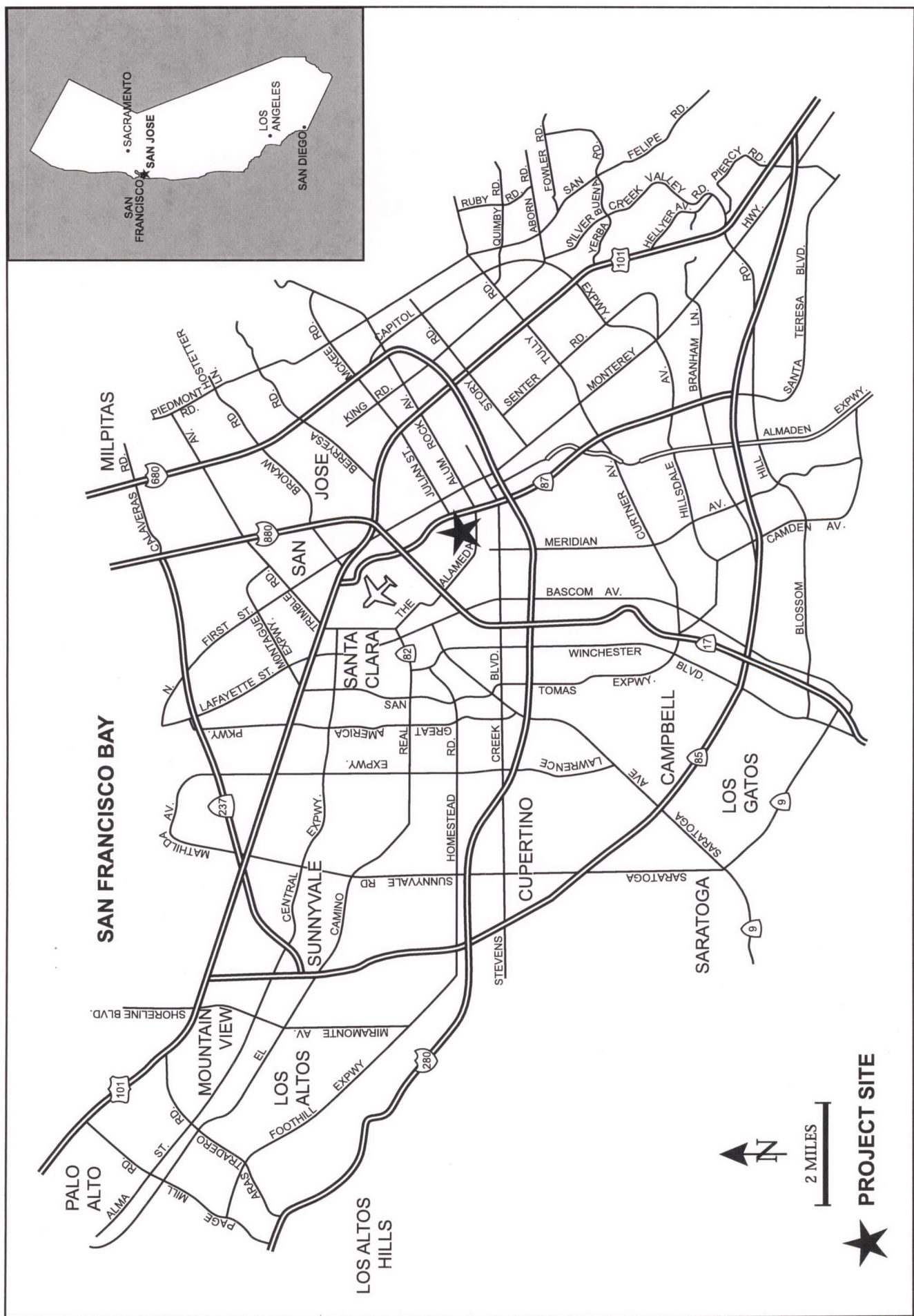
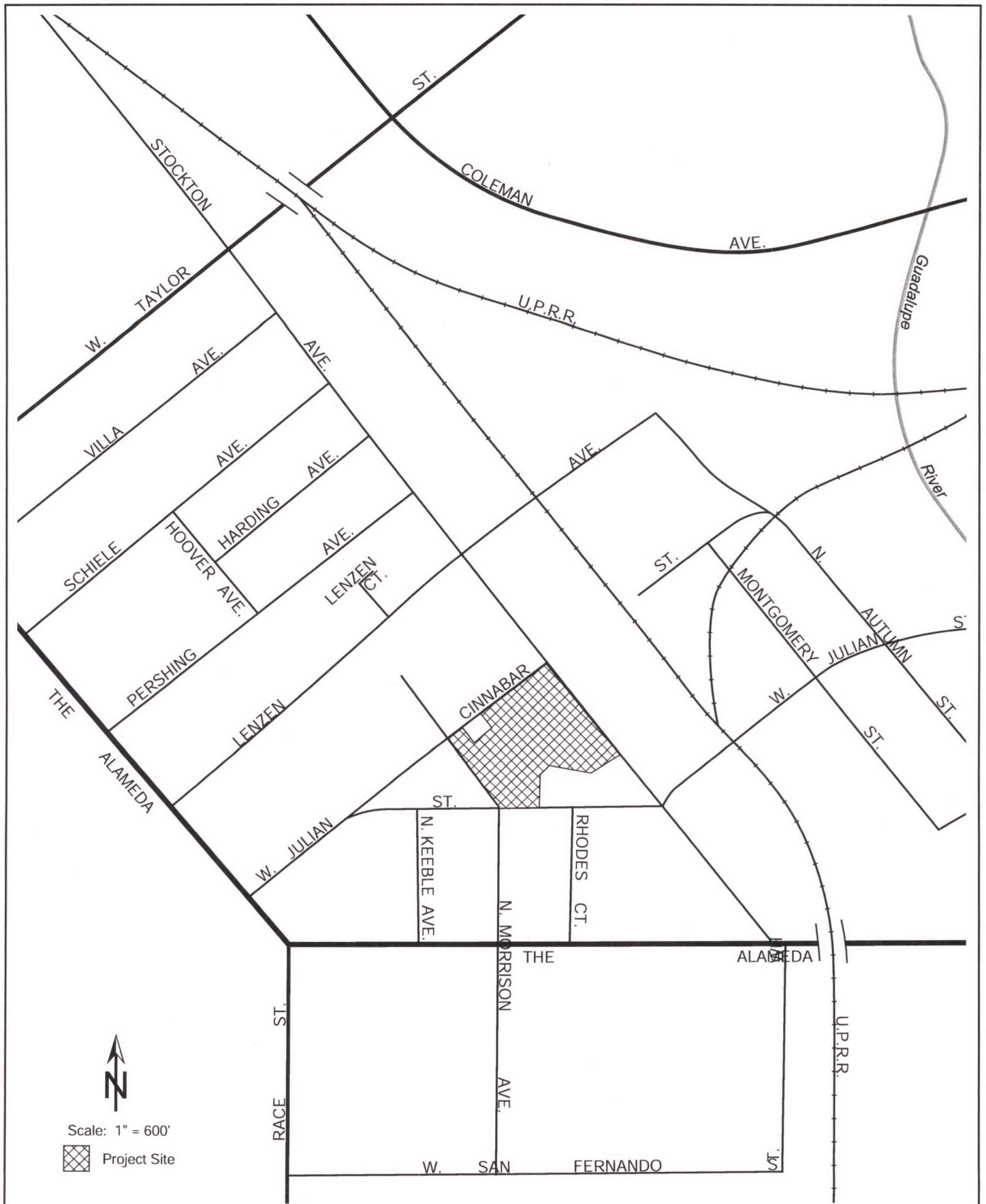


FIGURE 1



VICINITY MAP

FIGURE 2

SECTION 3 PROJECT DESCRIPTION

The 4.44-acre project site is comprised of 13 parcels that are designated *Residential Support for the Core (25+ dwelling units per acre)* and *Mixed-Use Overlay with no Underlying Land Use Designation* under the City of San José's adopted General Plan and zoned *LI – Light Industrial*.

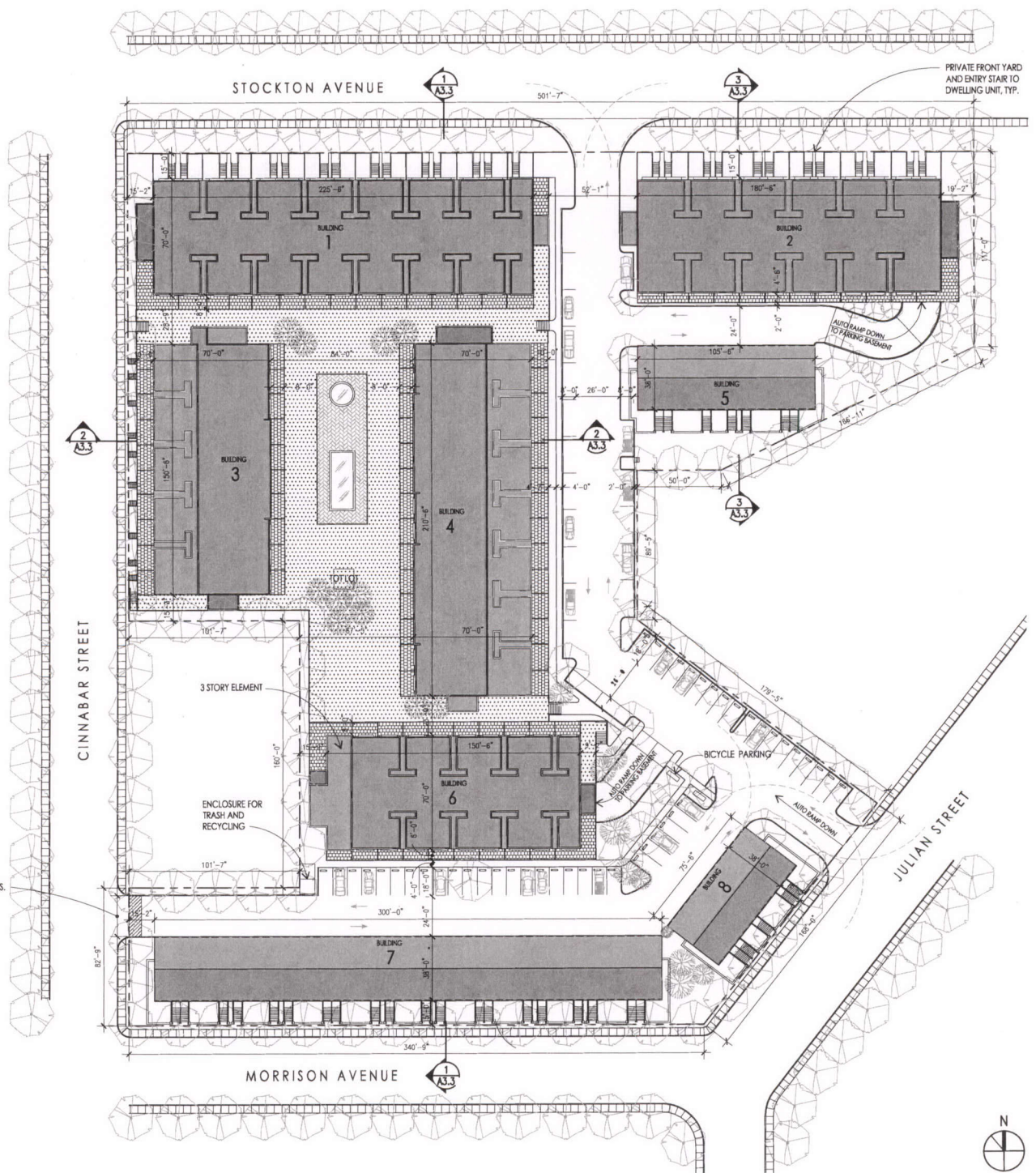
The project site is currently developed with 11 light industrial buildings totaling 34,531 square feet. The project proposes to rezone the site to allow for the demolition of the existing structures on the site and the construction of up to 250 attached condominiums and townhouses. The 250 dwelling units (56 DU/AC) will be for-sale units and will be comprised of 98 one-bedroom units, 96 two-bedroom units, 24 three-bedroom units, and 32 four-bedroom units. The units will range in size from 925 to 1,646 square feet. The buildings will be built approximately five feet above grade with a maximum height of 60 feet. The proposed residential units will be set back a minimum of 15 feet from the surrounding roadways. Figure 3 shows the proposed site plan.

The proposed project will have an area of common open space near the center of the site. The 25,000 square feet of common open space will include a 1,950 square-foot recreational common room, a tot lot, and a pool. Landscaping, including trees, shrubs, and walkways, is planned throughout the project site. In addition to the public open space areas of the site, the project includes a total of 58,440 square feet of private yards, patios, and private rooftop terraces with an average of 234 square feet of private space per unit.

One of the buildings currently on-site is a former gas station located at the corner of Stockton Avenue and Cinnabar Street at 395 Stockton Avenue (see Section 4.5.1.3 for a complete description of this building). The project proposes to permanently relocate this structure to Julian Street on the right side of the main driveway and rehabilitate it to the Secretary of Interior Standards. The building will be utilized as a mailroom for a portion of the residential units. All other buildings on the project site are proposed to be demolished.

The project will provide a total of 397 parking spaces on the project site. Of the 397 parking spaces, 273 will be located in two single-level garages that will be partially below grade (approximately seven feet). Twenty-eight of the 273 parking spaces will be tandem. The garages will each be accessed by a single ingress/egress driveway. The project will have a 26-foot wide drive aisle that runs from Julian Street to Stockton Avenue. Access into the larger main parking garage will be from a ramp off of the main drive aisle. Access to the smaller secondary parking garage will be from a 24-foot wide drive aisle that intersects with the main drive aisle. (see Figure 4). The 32 four-bedroom units will have private two-car garages (for a total of 64 parking spaces). The remaining 60 parking spaces will be surface parking spaces throughout the site. Most of the surface parking will be located on the main drive aisle.

This Initial Study is intended to provide the environmental review to inform the Planning Director's decision regarding adopt the Planned Development Zoning Permit file No. PD07-088 and subsequent permits needed to implement the proposed project.



SITE PLAN

FIGURE 3



FIGURE 4

SECTION 4 ENVIRONMENTAL SETTING & CHECKLIST

This section describes the existing cultural resources environmental conditions on and near the subject site, as well as ~~environmental~~ cultural resources impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, was used to identify ~~environmental~~ cultural resources impacts that could occur if the proposed project is implemented. The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of Section 4.17 in the original Initial Study. This section identifies ~~environmental~~ cultural resources impacts from the project, and an explanation for those adverse impacts determined to be less than significant. Mitigation measures are identified and described for all potentially significant impacts, and evaluated briefly for the expected effectiveness/feasibility of these measures, where necessary.

4.1 CULTURAL RESOURCES

The following discussion is based on an archaeological records literature review prepared by *Holman & Associates* in April 2006 and historic reports prepared by *Carey & Co.* in April 2007, July 2007, and October 2007. The literature review report can be viewed at the City of San José Department of Planning, Building and Code Enforcement. The historic reports can be found in Appendix B of this report.

4.1.1 Setting

4.1.1.1 Prehistoric Period

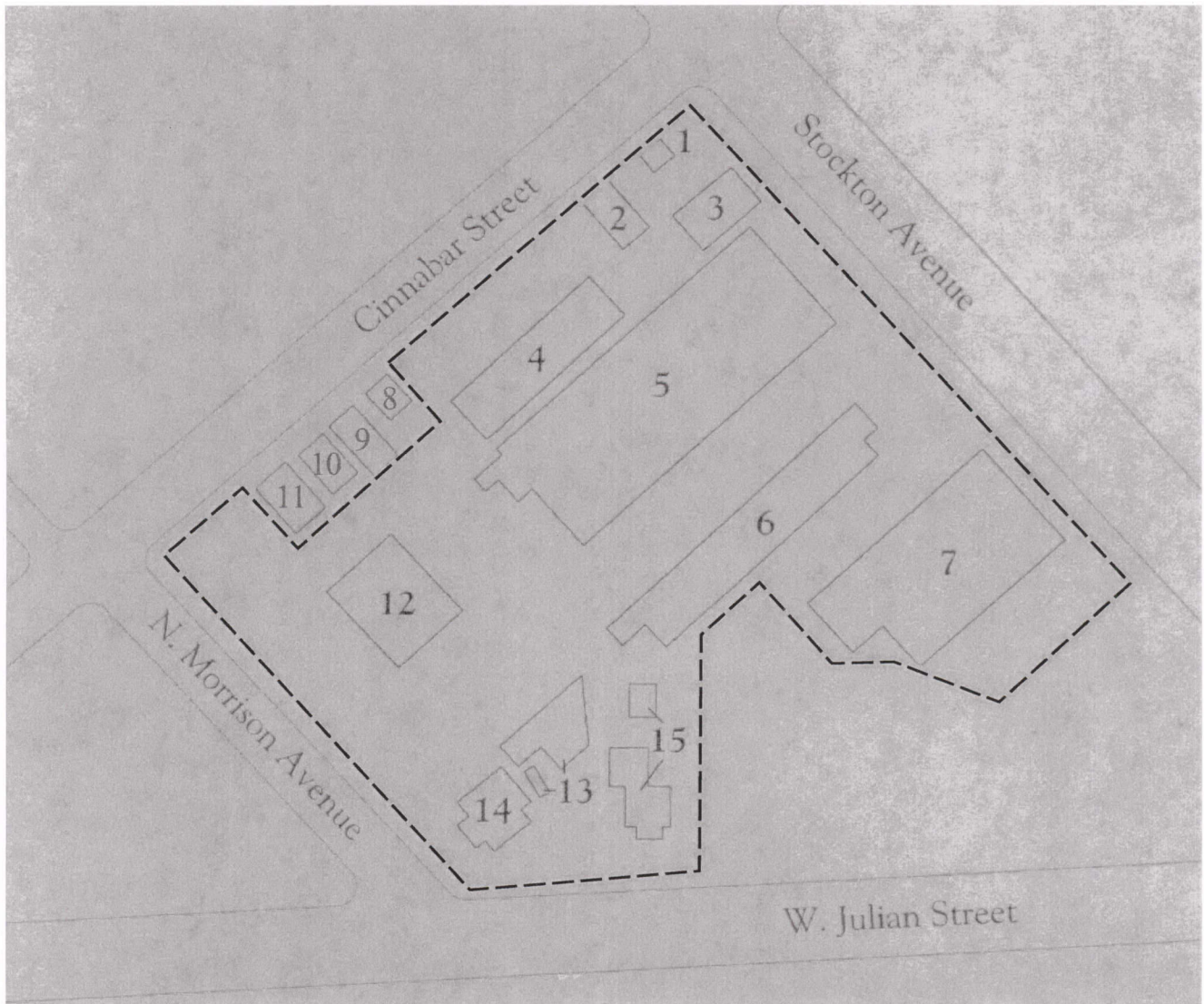
Prior to mission settlements, the Bay Area was occupied by Native Americans referred to as Ohlones or Costanoans. Artifacts pertaining to the Ohlone occupation of San José have been found throughout and around the downtown area, particularly near local waterways including the Guadalupe River (located approximately 2,062 feet east of the site). Based on a literature review of the project area, no prehistoric era archaeological sites have been recorded on or near the project site. The site is, however, considered to have a high probability of containing unknown buried prehistoric resources due to its proximity to the Guadalupe River and the fact that there was a small creek just north of the site prior to construction of the former Muirson Label and Crate Company.

4.1.1.2 Historic Period

The west side of Stockton Avenue was historically part of the grazing lands and fields of Mission Santa Clara until the 1830s. In 1844, the area was granted to James Alexander Forbes who created El Potrero de Santa Clara which included the project site. Forbes sold the ranch in 1847 to Commodore Robert F. Stockton. In the 1860s the Stockton Ranch was purchased by Charles B. Polhemus and Henry Newhall for the development of the railroad. By the late 19th century, Stockton Avenue was lined intermittently with two-story residences and undeveloped lands used for pasture.

4.1.1.3 Buildings Currently on the Project Site

There are currently 11 buildings on the project site, the history (to the extent it is known) and condition of each building is described below. Figure 5 shows the location of the existing buildings.



— — Project Boundary

EXISTING BUILDING LOCATIONS

FIGURE 5

Building 1 – 395 Stockton Avenue

Building 1 is a former gas station that is severely deteriorated. The structure is rectangular with a steel frame with metal cladding and a gabled metal roof. The sides of the structure are covered with a metal grid with several window openings. There are wooden doors on the northeast and southeast sides of the structure and wooden piers at the corners that support the partial remains of a projecting metal parapet above the existing roof structure. This parapet wraps around the rear and northwest façade's of the structure. The 1929 Sanborn maps show a canopy extending from the building's front façade (nearly doubling the building's footprint). A second canopy appears in the 1962 Sanborn maps. Neither of the two canopies are extent and the only remaining feature of the canopies is the metal parapet that wraps around three sides of the building's roof.

The structure is located on a corner lot and was used for a gas station in combination with another building on the southwest portion of the lot. Based on a review of the Sanborn maps, Buildings 1 and 2 (described below) appear to have been built in conjunction with an auto camp. The auto camp was comprised of two rows of small cottages extending southwest from Building 2. The auto camp was in operation through the mid-1960s. Other than Building 1 and 2, no structures associated with the former auto camp remain on-site (based on a review of the Sanborn Maps).

This building is rated a Structure of Merit based on the City of San José evaluation system. Based on the July 2007 historic report, it was determined that the building retained sufficient integrity to convey its historic significance was an early 20th century roadside gas station and potentially the oldest such structure in San José remaining on its original site to be eligible for the California Register. The October 2007 historic report, based on subsequent research, refuted the earlier findings that the building is eligible for the California Register. Due to the conflicting views of the building, the City taken the most conservative approach under CEQA and concluded that the building is eligible for the California Register. The building would not qualify for the National Register. Building 1 was listed on the HRI by the Historic Landmarks Commission at its April 2nd meeting as a Structure of Merit eligible for the California Register.

The estimated date of construction is 1922 – 1929.

Building 2 – 395 Stockton Avenue

Building 2 is a former automobile repair shop that was used in conjunction with Building 1. It is a wood frame building with a flat roof. Three fixed windows line the southwest side of the building, with an additional window on the northwest side. The main façade is open to the northeast and consists of three large garage door openings and some old light fixtures. The interior is a single open space with a concrete floor. The building has been abandoned for an extended period of time and is in a state of advanced deterioration.

As an undistinguished storage building, the structure would not qualify for the City of San José Historic Resources Inventory, the California Register, or the National Register.

The estimated date of construction is 1922 – 1929.

Building 3 – 393 Stockton Avenue

Building 3 is a wood frame, stucco-clad structure with its main façade facing northeast, fronting Stockton Avenue. The front of the building consists of two lateral large window bays and two wood

frame entry doors in the recessed center portion. The original doors and windows in the lower level are no longer extant, though most of the windows in the second story have survived. The second story of the main façade shows two groups of two double-hung multi-paned wood windows. Below these windows are four decorative triangular braces that may have formerly supported window boxes. The second level of the building is accessed by a staircase to the rear of the southeast façade. The northwest side of the building consists of several kinds of wood-framed windows which appear to have been added to the building at varying times. The condition of the building is poor. Until recently the building was occupied by the Renegades bar. The first floor of the building is now used for storage by the haunted attraction company Monster Magic and the second floor is a single two bedroom apartment. Building 3 first appears on a 1915 San born Map (updated to 1929).

While this structure is associated with the gay and lesbian community, the association is recent and would not contribute to the overall historical significance of the structure. This structure would not qualify for the City of San José Historic Resources Inventory, the California Register, or the National Register.

The estimated date of construction is 1922 – 1929.

Building 4 – 840 Cinnabar Street

Building 4 is a steel frame shed with metal siding and a flat gabled roof made of corrugated metal. There are five garage doors on the northwest side of the building. The building was formerly occupied by Precision Frame and Axle Service. The interior is a single open space supported by large wood trusses. The condition of the building is very good. There is a parking lot to the northwest of the building.

This structure would not qualify for the City of San José Historic Resources Inventory, the California Register, or the National Register.

The estimated date of construction is 1972 based on City of San José building permits.

Building 5 – 381 Stockton Avenue

This former cannery building is a wood frame structure with a rectangular plan. The building is approximately 200 feet by 75 feet, or 15,000 square feet. The original building is visible in the rear half of the structure. The front part, facing Stockton Avenue, has been covered with a reversible metal sheathing. The front façade has a line of dark glass windows and doors in metal frames. A large metal parapet rises above these windows, hiding the original gable shaped roof behind. The interior of the front of the building has been converted to office space under a dropped ceiling. At the rear of this front section, there is a staircase to a second level where some exposed parts of the original wooden roof structure are visible. The rear part of the building is wood and metal clad. The irregular-shaped roof, covered with a composite roof membrane, overhangs laterally and shows exposed roof rafters. The building has several sliding doors on the façades, including two large roll-up doors on the southeastern side and two smaller roll-up doors on southwestern side. All four doors were added after Air Systems, Inc. purchased the building in the 1980s. The two large doors replaced sliding doors with smaller openings. The interior is one open space that retains original wood truss construction and wood joints. A concrete wall with two large, double-sided fire doors separates the two halves of the building. The southern door remains unaltered, while the northern door has been significantly modified. Tenants of the front part of the building include Monster Magic, Red Planet Marketing, Executive Transportation Club and Blue Wave Holdings. Tenants of

the rear portion are De Mattei Construction and antiques dealership Maynard Mansion. Their spaces are separated by 12-foot, non-original wall.

The condition of the building is good. All major components of the building, including the front façade windows and parapet, the sliding doors, the exterior metal sheathing, the roof, the wood truss and joints, and the central concrete wall are intact.

Building 5 may be considered a locally important historic resource due to its association with the Richmond-Chase Company (within the industrial and manufacturing context). This structure is eligible for the City of San José Historic Resources Inventory as a Structure of Merit. This structure would not qualify for the California Register or the National Register.

According to San José City records, Building 5 was constructed in 1941.

History of Building 5 – The Richmond-Chase Company

In 1919 Edmund Nutting Richmond and Elmer E. Chase formed the Richmond-Chase Company. By 1922, the company was the fourth largest cannery in the state employing thousands of people in the Santa Clara and San Joaquin Valleys.

Edmund Nutting Richmond (1880 – 1962), a San José native, began his career in the packing industry in 1897 with the J.K. Armsby Company in San José succeeding to district manager in 1904. In 1912 Richmond was president of the San José Board of Education and served as president of the San José Chamber of Commerce in 1912 and 1913. In 1916 he left the Armsby Company and opened his own operation called the E.N. Richmond. Richmond was involved in World War I aid activities, using his office to host two separate bond drives in 1917 and served on the National Food Industry Advisory Council under Secretary of Commerce Herbert Hoover. In 1919, Richmond served as vice-president of the San José Chamber of Commerce.

Elmer E. Chase (1861 – 1939) came to San José from Rochester, Minnesota at the age of 13. He became the plant manager for the Golden Gate Packing Company in 1907. The Golden Gate Packing Company was sold in 1918 and the following year Chase formed the Richmond-Chase Company with Edmund Richmond. While working at Golden Gate Packing Company, Chase helped develop a new City charter for San José, giving the City a commission form of government. In 1916 he was elected to the City Council and served as mayor of San José from 1916 to 1918. He also served as a chairman of the City's food supply committee during World War I. In 1919, Chase served as president of the San José Chamber of Commerce.

In 1920 the main office of the dried fruit operation was located at 64 W. Santa Clara Street with a plant at 74 Stockton Avenue. A second plant was in operation by 1925 at the corner of Cinnabar Street and Montgomery Street (two blocks from the project site). This second plant was later listed as 525 Cinnabar Street. By 1930, the plant at 74 Stockton Avenue was moved to 380 Stockton Avenue, directly across the street from the project site. The warehouse at 381 Stockton Avenue (Building 5 in the historic survey) was constructed in 1941. The Richmond-Chase main office moved in 1947 to 817 The Alameda, one block south of the project site. A third plant was added in 1952 and was located at 587 Cinnabar Street.

Presently, nothing remains of the former 380 Stockton Avenue or 525 Cinnabar Street plants or the main office at 817 The Alameda. A portion of the plant at 587 Cinnabar Street may now be part of the CBD Indoor Mini Storage facility (located at 570 Cinnabar Street), but the evidence was

inconclusive. If it is the same building, the west side has been truncated and it has been reclad to match the larger warehouse structure to the north. Based on the existing verifiable evidence, the warehouse at 381 Stockton Avenue is the only known existing building from the Richmond-Chase Company. California Cannery and Growers, who acquired the Richmond-Chase Company in 1963, shut down their San José operations in 1982. The warehouse at 381 Stockton Avenue was sold in 1986.

Building 6 – 381 Stockton Avenue

Building 6 consists of three sections that together form a long rectangular wood frame and wood truss building with wooden siding and a metal roof. Almost all the windows in the structure have been replaced with aluminum sliding windows. The interior of the section closest to Stockton Avenue has been converted into an office space with dropped ceilings and new partition walls. Most of the middle section of the building shows the original interior: an undivided open space with an open wood truss roof construction. The northwest side of this section of the building is lined with a series of seven metal roll-up gates. Building 6 was used at one time as a garage facility by the Richmond-Chase Company. Building 6 now has several tenants, including Davis Motorsports and Maynard Mansion. TMC, Inc. also operates an office in the section of the building closest to Stockton Avenue. The condition of the building is good. The metal roof, wooden siding, windows, and roll up gates are all intact, as is the exposed wood truss in the middle section.

Because Building 6 is only loosely associated with the Richmond-Chase Company, the structure would not qualify for the City of San José Historic Resources Inventory, the California Register, or the National Register.

The estimated date of construction is 1922 – 1929 for the front portion of the building and 1951 – 1958 for the back portion of the building.

Building 7 – 345, 355, 369, and 373 Stockton Avenue

This complex consists of two wood frame and stucco-clad structures that are connected to each other in the rear of the building mass. The whole complex faces Stockton Avenue and is covered by stucco. The larger building part to the southeast (355 Stockton, Mix International Auto Body) has a central entry door and two lateral rectangular metal windows. The original part of the building (the front half) has a gabled roof that is exposed inside as an open wood truss construction with smaller built-in office spaces and lines of vertical windows. The later rear addition has a flat roof with exposed ceiling joists and two rows of clerestory windows.

The building mass to the northwest (369 Stockton, John's Auto Upholstery) is of similar construction and has several wooden skylight windows in its open, exposed wood truss roof. The northwest side of the building is covered in corrugated sheet metal.

The main façade has a shallow tiled pent roof and, in front of 369 Stockton, the base of the façade is covered with rows of ceramic tiles. The condition of the buildings is fair. Parking spaces for the auto service shops line both sides of the building.

This building may be considered a locally important historic resource due to its association with Carl N. Swenson Company. This structure is eligible for the City of San José Historic Resources Inventory as a Structure of Merit, however as noted above, on April 2nd 2008 the Historic Landmarks Commission declined to list the structure on the City's HRI. ~~Based on the July 2007 historic report,~~

~~it was determined that the building would qualify for the California Register under Criterion 2 for its association with San José developer Carl N. Swenson. The October 2007 historic report, based on subsequent research, refuted the earlier findings that the building is eligible for the California Register. Due to the conflicting views of the building, the City taken the most conservative approach under CEQA and concluded that the building is eligible for the California Register. The Planning Director, exercising his discretion per CEQA Guidelines Section 15064.5, has determined, based on a review of the entire administrative record, that the building is not eligible for the California Register. The building would also not qualify for the National Register.~~

The estimated date of construction is 1922 – 1930 for the Stockton Avenue storefronts and after 1966 for the remainder of the building.

Building 12 – 370 and 380 Morrison Avenue

Building 12 is a wood frame shed on wooden posts with metal siding and a flat gabled metal roof. Previously an open canopy, the siding was added after Air Systems, Inc. purchased the property. There are garage doors on the southwest and northeast sides of the building. Inside the open space structure the large and older round wood posts are still in place. The wooden roof trusses were recently replaced. There is a large parking and open air storage space around the shed that can be accessed from Morrison or Stockton Avenue. Its condition is very good. The space is used to store large motor homes and other miscellaneous items.

This building, being recently constructed and of an undistinguished style, would not qualify for the City of San José Historic Resources Inventory, the California Register, or the National Register.

The estimated date of construction is after 1966.

Building 13 – 320 Morrison Avenue

Building 13 is a wood frame, stucco-clad building that has a gable roof with composition shingles. On the southwest end of the building there is a metal door and a wooden opening. Small offices and research facilities with dropped ceilings have been built inside the original open space with an open wood truss construction. The building is in good condition.

This building, being recently constructed and of an undistinguished style, would not qualify for the City of San José Historic Resources Inventory, the California Register, or the National Register.

The estimated date of construction is after 1966.

Building 14 – 320 Morrison Avenue

This Craftsman style residential building (originally a single-family house), located at the corner of N. Morrison Avenue and W. Julian Street, serves as the Chaplain's Office for the San José Police Department. The house first appears on an 1891 Sanborn map (updated to 1921), with an address of 102 N. Morrison Avenue. By the 1915 Sanborn map (updated to 1930), the address had been changed to 320 N. Morrison Avenue. The building is of wood frame construction with a gabled roof covered with composition shingles. Its main southwest façade is dominated by a projecting structure with a smaller separate low-pitched gable roof. Projecting triangular brace supports and exposed beams frame a group of windows. To the north of the west side, there is a bay window with fixed wood windows. The southeast side of the building is entirely covered with multi-paned wood

windows whose original opening hardware is still visible. The interior of the building has undergone significant modification (dropped ceilings, new flooring, new openings) and was converted into a modern office space. The condition of the house is good.

This craftsman style structure would not qualify for the City of San José Historic Resources Inventory. Were the structure to be relocated to a compatible area, it could qualify for the City's Historic Resources Inventory¹. Relocation would not make this structure eligible for the California Register or the National Register.

The estimated date of construction is 1901 – 1921.

Building 15 – 931 Julian Street

This Craftsman style residential building (originally a single-family house) faces W. Julian Street. It is of wood frame construction with a flat gabled roof. A closed entry porch projects south of the building. The entry section has a separate gabled roof and, like the main section of the building, has exposed triangular brace supports. The large windows around the house vary between multi-paned fixed wood windows and double-hung windows. The lower portions of the main façade have been covered with layers of bricks. The interior has been significantly modified, with only parts of the original kitchen surviving. To the north of the building, there is a separate garage of wood frame construction and simple wood siding. The condition of the buildings is good. This building formerly served as an office for Attorney Services, who left in March of 2006.

This craftsman style structure would not qualify for the City of San José Historic Resources Inventory. Were the structure to be relocated to a compatible area, it could qualify for the City's Historic Resources Inventory². Relocation would not make this structure eligible for the California Register or the National Register.

The estimated date of construction is 1901 – 1921.

4.1.1.4 Definitions of Historic Resources

California Register of Historic Resources

In September 1992, Assembly Bill 2881 was signed which created more specific guidelines for identifying historic resources during the project review process under CEQA. Consequently, under CEQA Section 21084.1, a historic resource eligible for the California Register would, by definition, be a historic resource under CEQA. A historic resource listed in or determined to be eligible for the National Register is, by definition, also eligible for the California Register.

In order for a resource to be eligible for the California Register, it must satisfy all of the following three criteria (A, B, & C).

Criteria A. A property must be significant at the local, state, or national level, under one or more of the following four "Criteria of Significance":

¹ Personal Communication, Sally Zarnowitz, City of San José Historic Preservation Officer, June 15, 2007.

² Personal Communication, Sally Zarnowitz, City of San José Historic Preservation Officer, June 15, 2007.

1. The resource is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history and cultural heritage of California or the United States.
2. The resource is associated with the lives of persons important to the nation or to California's past.
3. The resource embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
4. The resource has the potential to yield information important to the prehistory or history of the state or the nation.

Criteria B. The resource retains historic integrity. Integrity is defined as the authenticity of a property's physical identity, evidenced by the survival of characteristics that existed during the property's period of significance.

Criteria C. The resource is 50 years old or older (except in rare cases of structures of exceptional significance).

National Register of Historic Places

A resource is considered eligible for the National Register if the quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

1. that are associated with events that have made a significant contribution to the broad pattern of our history; or
2. that are associated with the lives of persons significant to our past; or
1. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
2. that have yielded, or may be likely to yield, information important in prehistory or history.

City of San José Criteria

The San José General Plan states that: "Because historically or archaeologically significant sites, structures and districts are irreplaceable resources, their preservation should be a key consideration in the development review process" (City of San José, 1994). According to the City of San José's Historic Preservation Ordinance (Chapter 13.48 of the Municipal Code), a resource qualifies as a City Landmark if it has "special historical, architectural, cultural, aesthetic or engineering interest or value of an historical nature" and is one of the following resource types:

1. An individual structure or portion thereof;
2. An integrated group of structures on a single lot;
3. A site, or portion thereof; or
4. Any combination thereof. (Sec. 13.48.020.C)

The ordinance defines the term “historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature” as deriving from, based on, or related to any of the following factors:

1. Identification or association with persons, eras or events that have contributed to local, regional, state or national history, heritage or culture in a distinctive, significant or important way;
2. Identification as, or association with, a distinctive, significant or important work or vestige:
 - a. Of an architectural style, design or method of construction;
 - b. Of a master architect, builder, artist or craftsman;
 - c. Of high artistic merit;
 - d. The totality of which comprises a distinctive, significant or important work or vestige whose component parts may lack the same attributes;
 - e. That has yielded or is substantially likely to yield information of value about history, architecture, engineering, culture or aesthetics, or that provides for existing and future generations an example of the physical surroundings in which past generations lived or worked; or
 - f. That the construction materials or engineering methods used in the proposed landmark are unusual or significant or uniquely effective.
3. The factor of age alone does not necessarily confer a special historical, architectural, cultural, aesthetic or engineering significance, value or interest upon a structure or site, but it may have such effect if a more distinctive, significant or important example thereof no longer exists. (Sec. 13.48.020.A) The ordinance also provides a definition of a district: “a geographically definable area of urban or rural character, possessing a significant concentration or continuity of site, building, structures or objects unified by past events or aesthetically by plan or physical development.” (Sec. 13.48.020.B) Although the definitions listed are the most important determinants in evaluating the historic value of San José resources, the City of San José also has a numerical tally system that must be used in identifying potential historic resources. The “Historic Evaluation Sheet” requires resources to be rated according to visual quality/design; history/association; environment/context; integrity; reversibility; interior quality and conditions; and NRHP/CRHR status. A points-based rating system is used to score each building according to the extent to which it meets the criteria listed above. The final tallies are broken into three categories:
 - Candidate City Landmark (CCL): 67-120 points
 - Structure of Merit (SM) and/or Contributing Structure (CS): 33-66 points
 - Non-Significant (NS)/Non-Contributing (NCS): 0-32 points

According to the City of San José’s *Guide to Historic Reports*, a City Landmark is “a significant historic resource having the potential for landmark designation as defined in the Historic Preservation Ordinance. Preservation of this resource is essential.” The preservation of Structures of Merit “should be a high priority” but these structures are not considered significant resources for the purposes of CEQA.

4.1.2

Environmental Checklist and Discussion

| CULTURAL RESOURCES | | | | | | |
|---|--------------------------------|--|-------------------------------------|--------------------------|--------------------------|-----------------------|
| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | Beneficial Impact | Information Source(s) |
| Would the project: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,8 |
| 1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,8 |
| 2) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,8 |
| 3) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,8 |
| 4) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,8 |

In addition to the thresholds listed above, a significant impact would occur in the City of San José if the project would demolish or cause a substantial adverse change to one or more properties identified as a City Landmark or a Candidate City Landmark in the City's Historic Resources Inventory.

4.1.2.1

Prehistoric and Historic Archaeological Resource Impacts

Although there are no recorded prehistoric archaeological deposits on the site, the project site is situated in an area of high archaeological sensitivity, near a small prehistoric creek (directly north of the site) and Guadalupe River. Therefore, future development under the proposed project could result in the exposure or destruction of subsurface prehistoric archaeological resources. This is considered a significant impact.

There are no recorded historic archeological sites on the project site. Prior to development of the current industrial/commercial land uses, however, there were houses along the eastern boundary of the project site. Because of the historic land use of the project site, historic resources could be located on the project site that could yield significant information about farming and the early development of San José during the mid-19th and early 20th centuries. Therefore, future development under the proposed project could result in the exposure or destruction of subsurface historic archaeological resources. This is considered a significant impact.

Impact ARCH-1: Implementation of the proposed project could result in the destruction of unknown prehistoric and historic subsurface archaeological resources.

Mitigation and Avoidance Measures: The project proposes to implement the following mitigation and avoidance measures:

MM ARCH 1-1: Site clearing, grading and all other ground disturbing construction activities will be monitored by a qualified archaeologist. If historic/prehistoric artifacts or human remains are discovered during ground disturbing activities, the following measures will be implemented:

- In compliance with state law (Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code), in the event human remains are encountered during grading and construction, all work within 25 feet of the find will stop and the Santa Clara County Coroner's office will be notified. If the remains are determined to be Native American, the Coroner would notify the Native American Heritage Commission to identify the "Most Likely Descendant" (MLD). The City, in consultation with the MLD, would then prepare a plan for treatment, study and reinterment of the remains.
- In compliance with state law (Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code), in the event that historical artifacts are found, all work within 50 feet of the find will stop and a qualified archaeologist will examine the find. All significant artifacts and samples recovered during construction would be cataloged and curated by a qualified archaeologist and placed in an appropriate curation facility. The archaeologist must then submit a plan for evaluation of the resource to the City of San José Department of Planning, Building and Code Enforcement for approval. If the evaluation of the resource concludes that the found resource is eligible for the California Register of Historic Resources, a mitigation plan must be submitted to the City of San José Department of Planning, Building and Code Enforcement for approval. The mitigation plan must be completed before earthmoving or construction activities can recommence within the designated resource area.

4.1.2.2 Historic Building Impacts

California and National Registers

None of the buildings on the project site appear eligible for either the National Register of Historic Places. Buildings 1 and 7 ~~were~~ was determined eligible for the California Register of Historic Resources based on findings presented in the July 2007 historic report. The October 2007 historic report, based on subsequent research, refuted the earlier findings that the buildings are eligible for the California Register. ~~Due to the conflicting views of these buildings, the City taken the most conservative approach under CEQA and concluded that Buildings 1 and 7 are eligible for the California Register. Based on the available data, the City has concluded that Building 1 is eligible for the California Register. Building 7 has been determined to not be eligible for the California Register but is eligible as a local Structure of Merit. As noted, however, on April 2nd 2008 the Historic Landmarks Commission declined to list the structure on the City's HRI.~~

While all but two of the buildings are more than 50 years old, age alone does not designate a structure as historically significant. Buildings 1, 5, and 7 are clearly the most important historical structures on the site.

Building 1 (395 Stockton Avenue)

Based on archival research presented in the July 2007 historic report, Building 1 appears eligible for the California Register under Criterion 1 as a structure that is associated with events that have made a significant contribution to the broad patterns of local or regional history, or cultural heritage of California or the United States. The July 2007 report found that the structure was not eligible under Criterion 2, 3, or 4.

Based on archival research presented in the October 2007 historic report, Building 1 does not appear to be eligible for the California Register under Criterion 2 or 4. While Building 1 can be linked to the early history of the automobile under Criterion 1 for its association with the automobile-driven development of San José in the early 20th century and Criterion 3 as a particularly early type of roadside gas station, it lacks sufficient integrity to convey its historical significance. This structure does retain integrity of setting and location since it has not been moved and it has been surrounded by the same two buildings since its construction. Other aspects of the building's integrity including design, materials, workmanship, feeling and association have been compromised by the wholesale removal of several features that would otherwise identify the building as a gas station. These elements include:

- The removal of the canopy that formerly extended from the buildings front façade
- The removal of the gasoline pumps
- The painting of all the buildings glass panes and the breakage or removal of several panes

Absent these elements, the remaining structure's historic use is unclear.

This structures significance is further reduced by the presence of three other historic gas stations in San José. These three gas stations are located at 50 East Julian Street, 301 East Julian Street, and History Park (formerly located at West Julian and Market Street)³. Relative to these three structures, Building 1 is neither the oldest gas station on its original site nor the best preserved example of a particular style or era of gas station design.

Because this building lacks sufficient integrity to convey its historic significance as an early 20th century gas station, it is determined not eligible for listing in the California or National Register.

Building 5 (381 Stockton Avenue)

While the Richmond-Chase Company was a major cannery in the state of California, Building 5 was a warehouse separate from the cannery's main plants nearby. Edmund Richmond and Elmer Chase were important figures in the history of San José; however, no evidence could be found linking them to broader state or nationwide significance. Moreover, Building 5 was constructed after Elmer Chase's death in 1939. Therefore, Building 5 is not eligible for the California or National Registers.

Building 7 (355 Stockton Avenue)

~~Based on archival research presented in the July 2007 historic report, Building 7 appears eligible for the California Register under Criterion 2 for its association with San José developer Carl N. Swenson who is "a person/organization of primary importance at the local level [who has] played a decisive and far reaching role in the development of San José as a community". The July 2007 report found that the structure was not eligible under Criterion 1, 3, or 4.~~

Based on archival research presented in the October 2007 historic report, Building 7 does not appear to be eligible for the California Register under Criterion 1, 2, 3, or 4. The building at 355 Stockton Avenue was occupied by general contracting firm Carl N. Swenson Company from 1931 to 1945. When it closed in 1986, the Carl N. Swenson Company was called "one of Santa Clara County's oldest, largest and most powerful construction companies", having built many of the area's important

³ A full description of these three buildings can be found on page 20 of Appendix B.

structures. The company's important works included San José City Hall (on First Street), the Santa Clara County Government Center, the San José Airport terminal, San José High School, and the Stanford Hospital of Medicine.⁴

Despite the association with the Carl N. Swenson Company, the building at 355 Stockton fails to satisfy California Register Criterion 1 or Criterion 2 because (1) the building itself played only a minor role in the Swenson Company's construction operations during its tenure as an office and (2) the vast majority of the notable buildings associated with the Swenson Company were constructed well after the firm had moved its office from 355 Stockton.

From 1931 to 1945, the Carl N. Swenson Company used the building at 355 Stockton primarily as a vehicle storage facility. Only a small office for two administrative staff persons was located at this site. Cal Swenson himself did not occupy office space at this location as the majority of the company's work was conducted in various "construction shack" office located on the respective project sites. The building at 355 Stockton played a secondary role to the firms actual planning and construction work. Furthermore, most of the work completed by the company at this time was outside San José and focused on military bases. Only two major projects from this period of the company have been identified; the De Anza Hotel (1931) and the library at San José State University (c. 1941, since demolished).

The building at 355 Stockton does not appear eligible for the California Register under Criterion 3 or 4 because it is a vernacular roadside industrial building of unremarkable design.

Because this building has only a minor connection to the Carl N. Swenson Company and is of no particular architectural style, it is not eligible for listing in the California or National Register.

City of San José Historic Resources

Historic Evaluation Sheets were completed for each of the 11 buildings on the project site. Table 1 below shows the scores and ratings of each building.

| Table 1 | | |
|---|--------------|----------------------------------|
| City of San José Historic Evaluation | | |
| Building No. | Score | Rating |
| 1 | 51.3 | Structure of Merit |
| 2 | 5.61 | Non-significant/non-contributing |
| 3 | 14.2 | Non-significant/non-contributing |
| 4 | 11.0 | Non-significant/non-contributing |
| 5 | 52.28 | Structure of Merit |
| 6 | 21.71 | Non-significant/non-contributing |
| 7 | 53.76 | Structure of Merit |
| 12 | 4.0 | Non-significant/non-contributing |
| 13 | 3.0 | Non-significant/non-contributing |
| 14 | 20.54 | Non-significant/non-contributing |
| 15 | 23.54 | Non-significant/non-contributing |

⁴ Additional construction projects by the Carl N. Swenson Company are listed on page 22 of Appendix B.

Only Buildings 1, 5, and 7 appears eligible for historic designation as a City of San José Structure of Merit, with Historic Tally scores of 51.3, 52.28, and 53.76 respectively.

Building 1

Building 1 is eligible as a Structure of Merit as one of the oldest gas stations in San José remaining on its original location. This structure is representative of the first wave of automobile-driven growth and, as such, it satisfies City Criterion 1. In addition, the building's steel frame with metal cladding represents an important early type of gas station construction, which satisfies Criterion 2a. As discussed above, while the integrity of the building has been significantly compromised, it does retain certain important structural elements.

While this building only qualifies as a Structure of Merit the City has concluded that the building is a locally significant historic resource. This building is proposed to be relocated on the project site and rehabilitated to the Secretary of the Interior's Standards for historic structures. As a result, the proposed project will have a less than significant impact on Building 1. Building 1 was listed on the HRI by the Historic Landmarks Commission at its April 2nd meeting as a Structure of Merit eligible for the California Register.

Building 5

As discussed above, Building 5 is eligible for the City of San José Historic Resources Inventory for two main reasons, both of which fall within City criterion 1. First, the building was part of one of the oldest and largest cannery operations in San José from its construction until 1963. Second, the founders and owners of the cannery operation are important individual figures in the history of San José. Specifically, they are "persons of secondary importance," which the City of San José Guidelines for Historic Reports defines as individuals who "have played a major or leading (but not decisive) role in the development of San José as a community or a decisive role in the development of a particular neighborhood or of a particular ethnic group or segment of the community." It should be noted, however, that Elmer Chase was already deceased when the warehouse was constructed. In general, the integrity of Building 5 is good. The building has retained integrity of location, and while the integrity of the building's setting has been partially compromised by the removal of the Richmond-Chase Company plant at 380 Stockton, the building is still surrounded by a mix of small houses and low-lying industrial buildings, as it was historically. The main factors compromising the building's integrity are the various modifications that were made to the northeastern half of the building in converting it to office space: new windows, new exterior cladding, dropped ceilings, and carpeted flooring. Except for the windows, however, these factors appear to be easily reversible. The building's materials and overall design remain. In particular the wooden trussing and the workmanship it conveys remains in place throughout the building. Even with the latter-day modifications, the building is clearly a warehouse structure from the early to mid-twentieth century, and retains integrity of feeling and association.

This building is not eligible for the National or California Registers, and while it is a locally important historic resource due to its association with the Richmond-Chase Company it only qualifies as a City of San José Structure of Merit. As a result, demolition of Building 5 would not result in a significant impact under City of San José criteria.

Building 7

The building at 355 Stockton Avenue is eligible for consideration as a Structure of Merit in the City of San José. While the buildings integrity has been compromised by many non-historical alterations including a rear addition, replacement of the original front façade windows with larger window openings, and the closing off of the south elevation with metal siding, the building was associated with the Carl N. Swenson Company. Demolition of Building 7 would not result in a significant impact under City of San José criteria. As stated above, on April 2nd the Historic Landmarks Commission declined to list Building 7 on the City's HRI.

~~While this building only qualifies as a Structure of Merit the City has concluded that the building is a locally significant historic resource. As a result, demolition of this structure would be a significant impact.~~

Other Buildings on the Project Site

Six of the buildings in the project area (Buildings 2, 3, 6, 12, 14 and 15) are more than fifty years old and thus could potentially be historic. Each of these buildings, however, received City tally sheet scores less than 32 points. The remaining two buildings were constructed after 1966 (so they are less than 45 years old) and also scored below 32 points on the City's historic evaluation. Since the project site is not part of a recognized or potential historic district or conservation area, this means that they should be considered "non-significant" structures and do not qualify for the City of San José Historic Resources Inventory. The loss of these buildings, therefore, is a less than significant impact.

Buildings Adjacent to the Project Site

There are currently four single-family houses located on Cinnabar Street adjacent to the project site. These four houses (850 Cinnabar, 870 Cinnabar, 890 Cinnabar, and 910 Cinnabar) are all more than 50 years old and, while not located on the project site, were also analyzed as part of the Historic Resources Evaluation. Based on the City of San José rating criteria, only 870 Cinnabar scored high enough (34.04) to qualify as a Structure of Merit.

While the proposed project will surround the aforementioned houses on three sides, the project will not affect the integrity of setting of these houses. Historically, these houses have been located directly adjacent to light industrial and commercial businesses with little to no setbacks between the land uses. The proposed project will construct multi-family housing with minimum setbacks of 10 feet. Therefore, the project will not encroach on these adjacent properties and will not impact the setting these houses have occupied over the last 80+ years.

Mitigation Measures: The following mitigation measures are proposed to further reduce the impact to Building 7 (355 Stockton Avenue) ~~to a less than significant level:~~

- The project proponent will erect an educational plaque on-site including a photograph and designating the local significance and location of Building 7. The plaque will be placed in clear view of pedestrian traffic and will be located in the general area of the original building's front façade. The final location of the plaque and text on the plaque will be approved by the Director of Planning, Building, and Code Enforcement prior to installation. The plaque will be installed prior to issuance of occupancy permits.

- The project proponent will prepare archival photo documentation of Building 7 in accordance with City of San José standards as specified below. The photo documentation will be completed prior to issuance of demolition permits for Building 7 and to the satisfaction of the City's Historic Preservation Officer.
 - Archival Photo Documentation: 35mm photography of structures and sites eligible for listing on the City of San José Historic Resources Inventory as Structures of Merit. Photographs will consist of selected black and white views of the building to the following standards:
 - Cover Sheet – The documentation shall include a cover sheet identifying the photographer, providing the address of the building, common or historic name of the building, date of construction, date of photographs, and descriptions of the photographs.
 - View – Perspective view: front and other elevations. All photographs shall be composed to give primary consideration to the architectural and/or engineering features of the structure with aesthetic considerations necessary, but secondary.
 - Other Technical Considerations – The camera used must be a 35 mm with black and white film (tri-X, Plus-x, or T-Max is recommended). No soft focus lenses are allowed. Lenses may include normal focus length, wide angle, and telephoto. The photographer has a choice of filters, but use of a polar screen is encouraged. Sunlight is preferred for exteriors, especially the front façade. Light overcast days, however, may provide more satisfactory lighting for some structures. Finally, all areas of the photograph must be in sharp focus.
 - Submission of Photo Documentation: Two copies of the documentation, including the original prints and negatives, shall be submitted to the Historic Preservation Officer for approval and distribution to History San José and the Northwest Information Center at Sonoma State University. Digital photos may be provided as a supplement to, but not in place of, the above referenced photo documentation. Digital photography must be recorded on a CD and shall be submitted with the other documentation. The photo documentation shall be accompanied by a transmittal stating that the documentation is submitted in fulfillment of standard measures for the loss of the historic resources which shall be named and the address stated.
 - Professional Qualifications: The documentation is to be conducted by a qualified consultant meeting the professional qualifications standards of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.
- The photo documentation of Building 7 and possibly other locally important buildings attributed to Carl Swenson will be permanently displayed in a common area of the proposed residential project. The photo documentation display shall be designed and implemented by a qualified consultant meeting the professional qualifications standards of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. Final design, content, and placement of the photo documentation display will have to be approved by the Director of Planning, Building, and Code Enforcement. The photo documentation display will need to be installed prior to issuance of occupancy permits.

- A qualified consultant meeting the professional qualifications standards of the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* shall conduct additional research to determine if any there are any other buildings associated with Carl Swenson within the City of San José that have not already been identified. If previously undocumented buildings are identified, they will be researched to determine if they are eligible for placement on the City's Historic Resources Inventory (HRI). The final scope of the additional research must be approved by the Director of Planning, Building and Code Enforcement. The additional research will need to be completed prior to the issuance of occupancy permits.
- If any structures are identified as a result of the previous measure as eligible for the HRI, the applicant shall provide funding to cover applicable fees for listing and designating those structures as determined by the Director of Planning, Building and Code Enforcement.
- ~~*Relocation of Building 7 to an Identified Compatible Site:* Appendix H of this Initial Study includes criteria for compatible receiver sites for this structure and identifies several compatible receiver sites meeting the specified criteria. The project developer shall relocated Building 7 to a compatible receiver site that fully meets all the criteria specified in Appendix H. All relocation and rehabilitation activities shall be conducted by the project developer in accordance with the *Secretary of the Interior's Standards for Rehabilitating a Historic Property*. The City will identify triggers in the Planned Development Permit for this project for the timing of receiver site entitlements for relocation, for the relocation activity, and for final occupancy permits for the rehabilitation work.~~
- ~~*Relocate to an Undetermined Site:* Appendix H of this Initial Study identifies possible available sites at this point in time that appear to meet the specified compatible receiver site criteria set forth in Appendix H. It is recognized that some of these currently available sites may come off the market and become unavailable to the project developer, and that additional sites that meet the compatible receiver site criteria could become available. In that event, the project developer can propose relocation of Building 7 to a site not identified in Appendix H that meets the specified criteria for compatible receiver sites. If the project developer is not able to relocate Building 7 pursuant to and in accordance with the mitigation measure described in the preceding paragraph, then the project developer shall relocated the Building to a compatible receiver site that fully meets all of the criteria specified in Appendix H pursuant to the provisions of this paragraph. This measure would require additional evaluation, review, and environmental clearance by the City in the context of the entitlements for the receiver site. All relocation and rehabilitation activities shall be conducted by the project developer in accordance with the *Secretary of Interior's Standards for Rehabilitating a Historic Property*. The City will identify triggers in the Planned Development Permit for this project for the timing of receiver site entitlements for relocation, for the relocation activity, and for final occupancy permits for the rehabilitation work.~~
- ~~*Retain on Original Site:* In the event the project developer is ultimately unable to gain control of a compatible receiver site, the project shall retain Building 7 at its original location on-site. Demolition of the rest of the buildings could proceed and the project ultimately built with Building 7 in place with a sufficient buffer area providing a setback from new residential development. In this event, the zoning regulations will allow continued industrial or commercial use of Building 7, subject to issuance of a Planned Development Permit. All rehabilitation activities shall be conducted by the project developer in accordance with the *Secretary of Interior's Standards for Rehabilitating a Historic Property*.~~

Standard Measures: The following standard measures could be included in the project as conditions of approval to address the loss of a building identified as eligible of Structure of Merit status:

- **Historic Report and Archival Photo Documentation:** 35mm photography of structures and sites eligible for listing on the City of San José Historic Resources Inventory as Structures of Merit. Photographs will consist of selected black and white views of the building to the following standards:
 - **Cover Sheet** – The documentation shall include a cover sheet identifying the photographer, providing the address of the building, common or historic name of the building, date of construction, date of photographs, and descriptions of the photographs.
 - A bond copy of the Historic Report for the building
 - **View – Perspective view:** front and other elevations. All photographs shall be composed to give primary consideration to the architectural and/or engineering features of the structure with aesthetic considerations necessary, but secondary.
 - **Other Technical Considerations** – The camera used must be a 35 mm with black and white film (tri-X, Plus-x, or T-Max is recommended). No soft focus lenses are allowed. Lenses may include normal focus length, wide angle, and telephoto. The photographer has a choice of filters, but use of a polar screen is encouraged. Sunlight is preferred for exteriors, especially the front façade. Light overcast days, however, may provide more satisfactory lighting for some structures. Finally, all areas of the photograph must be in sharp focus.
- **Submission of Photo Documentation:** Two copies of the documentation, including the original prints and negatives, shall be submitted to the Historic Preservation Officer for approval and distribution to History San José and the Northwest Information Center at Sonoma State University. Digital photos may be provided as a supplement to, but not in place of, the above referenced photo documentation. Digital photography must be recorded on a CD and shall be submitted with the other documentation. The photo documentation shall be accompanied by a transmittal stating that the documentation is submitted in fulfillment of standard measures for the loss of the historic resources which shall be named and the address stated.
- **Professional Qualifications:** The documentation is to be conducted by a qualified consultant meeting the professional qualifications standards of the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation*.
- **Relocation:** Prior to issuance of Public Works clearance, the structure(s) shall be advertised for relocation and an amount equal to the cost of demolition shall be offered to parties interested in relocation. The project applicant shall provide evidence that an advertisement has been placed in a newspaper of general circulation, posted on a website, and posted at the site for a period of no less than 30 days.
- **Salvage:** Prior to issuance of Public Works clearance, the structure(s) and site shall be retained and made available for salvage to salvage companies facilitating the reuse of historic building materials in conformance with the City's CDDD program.

4.5.3 Conclusion

With implementation of the proposed mitigation measures, the project will have a less than significant impact on unknown buried historic and prehistoric archaeological resources. **(Less Than Significant Impact with Mitigation)**

~~With implementation of the proposed mitigation measures,~~ The proposed project will have a less than significant impact on historic structures. **(Less Than Significant Impact with Mitigation)**

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